



**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY, FEBRUARY 4, 2021**

The regular meeting of the Benbrook City Council was held on February 4, 2021 at 7:30 p.m. in the Council Chambers with the following Council members present:

Jerry Dittrich, Mayor  
Renee Franklin-via Telephone Conference  
Larry Marshall- via Telephone Conference  
Dustin Phillips-via Telephone Conference  
Alfredo Valverde-via Telephone Conference  
Laura Mackey-via Telephone Conference  
Jason Ward-via Telephone Conference

Also Present:

Andy Wayman, City Manager  
Jim Hinderaker, Assistant City Manager  
Joanna King, City Secretary  
Beth Fischer, Deputy City Secretary  
Wes Cooper, Assistant IT Director

**I. CALL TO ORDER**

Meeting called to order at 7:30 p. m. by Mayor Jerry Dittrich.

**II. CITIZEN COMMENTS ON ANY AGENDA ITEM**

Mayor Dittrich paused the meeting for citizen comments on any agenda item via telephone call. There were no callers.

**III. MINUTES**

**1. Minutes of the regular meeting held January 21, 2021**

Motion by Dr. Marshall, seconded by Ms. Mackey to approve the minutes of the regular meeting held January 21, 2021.

Vote on the Motion by Roll Call:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward

Noes: None

Motion carried unanimously.

#### **IV. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL**

**CC-2021-02** Adopt Resolution calling Bond Election for May 1, 2021 (Adoptar resolución que llama a la elección de bonos para el 1 de mayo de 2021) (Thông qua Nghị quyết kêu gọi bầu cử trái phiếu cho ngày 1 tháng 5 năm 2021)

Mayor Dittrich introduced the Resolution to City Council. Motion by Ms. Franklin, seconded by Mr. Phillips to adopt Resolution 2021-01 calling a bond election for May 1, 2021.

There was no discussion on the item.

Vote on the Motion

Ayes: Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward, Ms. Franklin

Noes: None

Motion carried unanimously.

**El alcalde Dittrich presentó la Resolución al Ayuntamiento. Moción de la Sra. Franklin, secundada por el Sr. Phillips para adoptar la Resolución 2021-01 que llama a una elección de fianza para el 1 de mayo de 2021.**

**No se discutió sobre el tema.**

**Votación sobre la moción**

**Ayes: Dr. Marshall, Sr. Phillips, Alcalde Dittrich, Sr. Valverde, Sra. Mackey, Sr. Ward, Sra. Franklin**

**Noes: Ninguno**

**La moción se llevó a cabo por unanimidad.**

**Thị trưởng Dittrich đã giới thiệu Nghị quyết lên Hội đồng thành phố. Đề nghị của bà Franklin, được ông Phillips chấp nhận thông qua Nghị quyết 2021-01 kêu gọi một cuộc bầu cử trái phiếu vào ngày 1 tháng 5 năm 2021.**

**Không có cuộc thảo luận nào về mục này.**

**Bỏ phiếu cho chuyển động**

**Ayes: Tiến sĩ Marshall, Ông Phillips, Thị trưởng Dittrich, Ông Valverde, Bà Mackey, Ông Ward, Bà Franklin**

**Noes: Không có**

**Chuyển động được thực hiện nhất trí.**

**CC-2021-03 Accept Resignation from Hunter Brauer, Place 7 Planning and Zoning Commission and determine method to fill vacancy**

Joanna King gave the following report: On January 21, 2021, staff received the resignation from Hunter Brauer, Place 7 on the Planning and Zoning Commission. Mr. Brauer was appointed to Place 7 in February 2020 to fill a vacancy in a term expiring December 30, 2021.

The normal process for advertising and receiving applications for the various City Boards and Commissions begins in September of each year with appointments made in December.

Because the resignation will leave a vacancy of ten months, staff believes the vacancy should be filled prior to the normal process.

Staff is requesting City Council to determine a method to fill the vacancy.

Following discussion, motion by Mr. Ward, seconded by Mr. Valverde to:

- Accept the resignation from Hunter Brauer from the Planning and Zoning Commission and thank him for his service;
- Move Beth Bodine-Jones from Place 4 on the Zoning Board/Appeals Commission to Place 7 on the Planning and Zoning Commission for a term to expire December 30, 2021; and
- Move Tiffany Ryan from Alternate D to Place 4 on the Zoning Board/Appeals Commission; and

Vote on the Motion

**Ayes: Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward, Ms. Franklin, Dr. Marshall**

**Noes: None**

**Motion carried unanimously.**

## V. REPORTS FROM CITY MANAGER

### A. GENERAL

**G-2501      Adopt Ordinance amending Title 16-Subdivisions of the Benbrook Municipal Code (1985), as amended, by amending Section 16.28.010.E-Exemptions by adding "city incentivized development activities" to the list of items exempt from the requirements of Section 16.28.010-Preservation of Trees and Native Vegetation**

Jim Hinderaker gave the following report: Section 16.28.010 – Preservation of Trees and Native Vegetation of the Benbrook Municipal Code, initially codified in June 2002 and as amended over the years, provides for the preservation and mitigation of trees, tree stands and existing tree canopies. While this section exempts a number of municipal related development activities (e.g. removal of trees within rights-of-way, utility and drainage easements, capital improvement projects, or situations deemed hazardous), the exemption provisions do not extend to City incentivized development.

Under current tree mitigation regulations, the City, via the Benbrook Economic Development Corporation, is essentially required to pay itself for the removal of any protected tree. The proposed amendment will eliminate this constraint but require approval from both the Benbrook Economic Development Corporation and City Council via an approved development agreement that may incorporate tree preservation/mitigation criteria specific to the proposed development.

Staff recommends that the following underlined language be added to Section 16.28.010.E. No language is proposed to be removed.

E. Exemptions. The following activities are exempt from the regulations of this chapter.

16.    Incentivized development activities pursuant to a Benbrook Economic Development Corporation and City Council approved development agreement.

Motion by Dr. Marshall, seconded by Ms. Franklin to adopt Ordinance No. 1464 amending the Subdivision Ordinance.

Vote on the Motion

Ayes: Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward, Ms. Franklin, Dr. Marshall, Mr. Phillips

Noes: None

Motion carried unanimously.

Ordinance No. 1464 being "AN ORDINANCE OF THE CITY OF BENBROOK, TEXAS, AMENDING SECTION 16.28.010.E – EXEMPTIONS, SECTION 16.28.010 - PRESERVATION OF TREES AND NATIVE VEGETATION, CHAPTER 16.28 - DESIGN STANDARDS AND REQUIREMENTS, TITLE 16 - SUBDIVISIONS OF THE BENBROOK MUNICIPAL CODE, BY EXEMPTING CITY APPROVED INCENTIVIZED DEVELOPMENT ACTIVITIES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE."

#### **SECTION 5 PENALTY CLAUSE**

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety, or public health and sanitation, including dumping of refuse, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense. Nothing herein shall affect any minimum fine prescribed by any ordinance of the city and any such minimum fine shall remain unchanged.

#### **SECTION 10 EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication as required by law.

#### **VI. INFORMAL CITIZEN COMMENTS**

Mayor Dittrich paused the meeting for any informal citizen comments via telephone conference. There were no callers.

#### **VII. COUNCIL MEMBER AND STAFF COMMENTS**

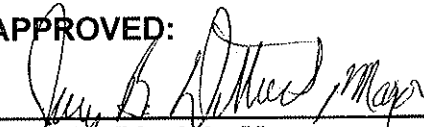
Councilmember Renee Franklin thanked everyone involved in providing feedback, planning, guidance, and inspiration in getting to the adopting of the resolution calling for the bond election. Ms. Franklin advised citizens inquiries regarding the Bond Election should be made to Assistant City Manager, Jim Hinderaker and to look to the City's website for additional information.

Jim Hinderaker gave report on COVID-19.

**VIII. ADJOURNMENT**

Meeting adjourned at 7:50 p.m.

**APPROVED:**

  
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Jerry B. Dittrich, Mayor

**ATTEST:**

  
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Joanna King, City Secretary